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FM USMISSION USUN NEW YORK  
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INFO ARAB ISRAELI COLLECTIVE  
ARAB LEAGUE COLLECTIVE  
EUROPEAN POLITICAL COLLECTIVE  
UN SECURITY COUNCIL COLLECTIVE

C O N F I D E N T I A L USUN NEW YORK 000338

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E.O. 12958: DECL: 04/30/2017  
TAGS: [PREL](#) [PTER](#) [UNSC](#) [LE](#)  
SUBJECT: MICHEL PREVIEWS COUNCIL BRIEFING ON LEBANON  
TRIBUNAL

REF: STATE 57533

CLASSIFIED BY: AMBASSADOR ALEJANDRO D. WOLFF, FOR REASONS 1.4(B) AND (D

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¶1. (C) BEGIN SUMMARY: PER REFTTEL, AMBASSADOR WOLFF URGED UN  
LEGAL COUNSEL MICHEL ON APRIL 30 TO USE HIS MAY 2 BRIEFING TO  
THE SECURITY COUNCIL TO CONVEY HIS CONCLUSION THAT THE  
LEBANESE PARLIAMENTARY PROCESS TO RATIFY THE TRIBUNAL  
AGREEMENT HAD REACHED AN IMPASSE AND TO EMPHASIZE THE NEED  
FOR COUNCIL ACTION TO ESTABLISH THE TRIBUNAL. MICHEL SAID HE  
WOULD ADVISE THE COUNCIL THAT PROSPECTS FOR THE LEBANESE TO  
ESTABLISH THE TRIBUNAL THROUGH THE DOMESTIC CONSTITUTIONAL  
PROCESS REMAIN "UNCERTAIN" AND THAT HE WOULD EXPRESS "SERIOUS  
DOUBT" THAT PARLIAMENT WILL BE CONVENED BEFORE MAY 31.  
CITING PRIME MINISTER SINIORA'S WILLINGNESS TO CONTINUE  
NEGOTIATING, INCLUDING HIS APRIL 27 ANNOUNCEMENT RE-LAUNCHING  
HIS 17-13 PROPOSAL FOR ALLOCATING SEATS IN A NEW CABINET,  
MICHEL SAID HE COULD NOT DECLARE NOW THAT THE LEBANESE  
DOMESTIC PROCESS HAS REACHED AN IMPASSE. MICHEL ALSO ADVISED  
AMB. WOLFF THAT THE SYG ANTICIPATES BECOMING PERSONALLY  
ENGAGED ON THE TRIBUNAL ISSUE IN THE FUTURE AND MIGHT WISH TO  
BRIEF THE COUNCIL HIMSELF SOON. END SUMMARY.

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MICHEL PROMISES "FACTUAL" BRIEFING  
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¶2. (C) MICHEL TOLD AMBASSADOR WOLFF HIS MAY 2 BRIEFING WOULD  
HAVE THREE PARTS AND FOCUS ON HIS TRIP TO BEIRUT RATHER THAN  
SUBSEQUENT DEVELOPMENTS. FIRST, HE WILL PROVIDE A FACTUAL  
OVERVIEW EXPLAINING THE CONTEXT OF AND MANDATE FOR HIS TRIP  
TO LEBANON. SECOND, HE WILL DISCUSS HIS MEETINGS IN BEIRUT,  
PROVIDING DETAILS ON THE VIEWS OF HIS INTERLOCUTORS AND A  
DESCRIPTION OF THE POSITION OF MEMBERS OF THE GOVERNMENT, THE  
ARGUMENTS OF THE OPPOSITION, AND THE GOVERNMENT'S ASSESSMENT  
OF THE OPPOSITION'S ARGUMENT. HE WILL CLOSE WITH HIS OWN  
OBSERVATIONS.

¶3. (C) BASED ON HIS CONVERSATIONS WITH PRIME MINISTER  
SINIORA IN BEIRUT, MICHEL SAID HE COULD NOT ARGUE THAT THE  
LEBANESE DOMESTIC PROCESS IS STALEMATED AND THAT THE SECURITY  
COUNCIL MUST INTERVENE. ALTHOUGH HE SAID THE PROPOSAL FOR  
TALKS IN GENEVA TO REACH AGREEMENT ON THE TRIBUNAL TEXTS IS  
"DEAD," MICHEL STRESSED THAT PRIME MINISTER SINIORA IS STILL

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PURSUING OPTIONS FOR REACHING CONSENSUS ON THE TRIBUNAL.  
SPECIFICALLY, MICHEL CITED SINIORA'S ANNOUNCEMENT APRIL 27  
THAT HE WOULD RE-LAUNCH HIS PROPOSAL ON THE 17-13 FORMULA FOR  
COMPOSING THE GOVERNMENT, PROVIDED THAT MEMBERS CONFIRM  
SUPPORT FOR THE SEVEN-POINT PLAN AND IMPLEMENTATION OF  
RESOLUTION 1701. MICHEL ALSO SAID SINIORA DID NOT APPEAR TO  
BE IN A RUSH TO SUPPORT COUNCIL ACTION AT THIS TIME AND WAS  
PREPARED TO LET THE MATTER WAIT UNTIL MAY 31. MICHEL SAID HE  
HAD SPOKEN WITH SPECIAL COORDINATOR FOR LEBANON GEIR PEDERSEN  
TWICE TODAY TO UNDERSTAND BETTER SINIORA'S INTENTIONS BUT  
COMMENTED, "I CAN'T GO TO THE SECURITY COUNCIL AND SAY ALL IS  
DEAD AND THEN HAVE THE PRIME MINISTER ANNOUNCE HE IS WORKING  
ON A NEW FORMULA."

AMBASSADOR WOLFF WARNS PROPOSED  
BRIEFING COULD BE COUNTER-PRODUCTIVE  
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¶4. (C) AMBASSADOR WOLFF EXPRESSED CONCERN THAT THE BRIEFING  
MICHEL ENVISIONS WOULD HAVE THE UNINTENDED CONSEQUENCE OF

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STRENGTHENING COUNCIL SKEPTICS AND UNDERMINING THE COUNCIL'S  
ULTIMATE ABILITY TO ESTABLISH THE TRIBUNAL. HE URGED MICHEL  
TO CONCLUDE THAT THE LEBANESE PROCESS IS DEADLOCKED AND TO  
MAKE A STRONG STATEMENT SUPPORTING COUNCIL ACTION TO  
ESTABLISH THE TRIBUNAL. WOLFF QUESTIONED WHETHER MICHEL'S  
PROPOSED BRIEFING WOULD ANSWER THE TWO QUESTIONS COUNCIL  
SKEPTICS WILL POSE: (1) WHY THE COUNCIL SHOULD BECOME  
ENGAGED NOW, AND (2) WHY THE COUNCIL SHOULD NOT GIVE THE  
LEBANESE MORE TIME TO ESTABLISH THE TRIBUNAL THEMSELVES.  
INSTEAD, MICHEL SHOULD LAY THE GROUNDWORK FOR ANY POSSIBLE  
SECURITY COUNCIL ACTION TO ESTABLISH THE TRIBUNAL, AMBASSADOR  
WOLFF URGED, STRESSING THAT PRIME MINISTER SINIORA HAS  
ADVISED THAT THE "WORST OUTCOME" WOULD BE FOR THE SECURITY  
COUNCIL NOT TO ENGAGE ON THE TRIBUNAL. THE FIRMER MICHEL  
MAKES HIS PRESENTATION TO THE COUNCIL, THE FIRMER THE COUNCIL  
WILL BE, AND THE FIRMER THE LEBANESE WILL BE, AMBASSADOR  
WOLFF ARGUED.

¶5. (C) MICHEL CONTINUED TO EXPRESS CONCERN THAT HE WOULD  
"UNDERCUT" SINIORA, BUT AGREED TO MAKE CLEAR STATEMENTS ABOUT

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TIMING AND THE NEED FOR THE COUNCIL TO REJECT IMPUNITY. HE  
SAID HE WOULD STRESS THAT THE UN NEEDS ONE YEAR TO MAKE THE  
TRIBUNAL OPERATIONAL AND NOTING THAT THE UNIIIC'S MANDATE  
EXPIRES IN JUNE 2008. HE ALSO SAID HE WOULD STRESS THE NEED  
FOR CONSISTENCY IN THE COUNCIL'S ACTIONS AND RECALL THE  
COUNCIL'S UNANIMOUS DECISION TO ESTABLISH THE UNIIIC AND THE

TRIBUNAL.

FUTURE ROLE FOR SYG?

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¶6. (C) RECALLING HIS CONVERSATION WITH THE SYG ON THE  
MORNING OF APRIL 30, MICHEL REPORTED THE SYG BELIEVES THAT  
SOME UNSC MEMBERS DO NOT THINK THAT ALL EFFORTS TO ENCOURAGE  
A LEBANESE SOLUTION TO THE TRIBUNAL ISSUE HAVE BEEN  
EXHAUSTED. MICHEL IMPLIED THAT THE SYG MIGHT UNDERTAKE  
ADDITIONAL EFFORTS IF COUNCIL MEMBERS OR REGIONAL STATES  
ADVISE THE SYG THAT THEY DO NOT THINK THE UN HAS DONE ENOUGH.  
IN THIS CONTEXT, MICHEL NOTED THAT THE ARAB LEAGUE, EGYPT,  
AND SAUDI ARABIA HAVE TOLD THE UN THAT THEY WOULD NOT SUPPORT  
SECURITY COUNCIL ACTION TO ESTABLISH THE TRIBUNAL UNDER  
CHAPTER VII AND THAT FURTHER EFFORTS BY THE UN MIGHT BE  
USEFUL. (NOTE: ACCORDING TO LEBANESE CHARGE CAROLINE ZIADE,

MICHEL TOLD VISITING FOREIGN POLICY ADVISOR TO PRIME MINISTER SINIORA MOHAMMAD CHATTAH THAT THE SYG PLANS TO BRIEF THE COUNCIL ON THE TRIBUNAL ISSUE UPON HIS RETURN FROM THE MAY 5-6 IRAQ NEIGHBORS CONFERENCE IN SHARM AL SHEIKH, EGYPT. END NOTE.)

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LEBANESE AND FRENCH MEET MICHEL  
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17. (C) AMBASSADOR WOLFF DESCRIBED MICHEL'S PROPOSED COUNCIL BRIEFING TO THE LEBANESE CHARGE AND THE FRENCH PERMREP (BOTH OF WHOM WERE SCHEDULED TO SEE MICHEL LATER IN THE DAY) AND URGED THEM TO PRESS MICHEL TO GIVE AN UNAMBIGUOUS BRIEFING ON PROSPECTS FOR LEBANESE PARLIAMENTARY RATIFICATION AND THE NEED FOR COUNCIL ACTION ON THE TRIBUNAL. LEBANESE CHARGE CAROLINE ZIADE, WHO ACCOMPANIED CHATTAH TO THE MEETING WITH MICHEL THE AFTERNOON OF APRIL 30, REPORTED THAT CHATTAH TOLD MICHEL THAT THE PROSPECTS FOR PARLIAMENTARY RATIFICATION WERE "CLOSE TO ZERO." CHATTAH ALSO ASKED MICHEL IF THE SECRETARIAT WOULD RECOMMEND THAT THE COUNCIL TAKE ACTION TO

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ESTABLISH THE TRIBUNAL. ZIADE SUGGESTED THAT, DESPITE CHATTAH'S CHARACTERIZATION OF THE SITUATION IN LEBANON, MICHEL DID NOT HAVE ENOUGH POLITICAL COVER TO EDIT HIS PLANNED REMARKS TO THE UNSC. SHE NOTED THAT MICHEL ADVISED CHATTAH THAT PRIME MINISTER SINIORA SHOULD CALL THE SYG IF THE GOL WANTS THE SECRETARIAT TO RECOMMEND THAT THE COUNCIL

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TAKE ACTION TO CREATE THE TRIBUNAL.

18. (C) AMBASSADOR WOLFF AND MICHEL AGREED TO REMAIN IN CLOSE CONTACT BEFORE WEDNESDAY.  
KHALILZAD